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SIPDIS

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SUBJECT: STATUS OF DUTCH EFFORTS TO COMBAT TIP - "WE WANT TO DO IT OUR WAY"

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(C) THE HAGUE 1712 (D) THE HAGUE 1446

Overview

1. The evidence of the past seven weeks indicates that the Dutch will be good to their word in G/TIP Ambassador Miller's June 7 meeting with Dutch Foreign Minister Bot and Justice Minister Donner (reftel D). First, that they will work towards "concrete, measurable targets" in combating trafficking in persons (TIP). Second, that they will be guided by their own national priorities, not USG draft benchmarks. Mollified somewhat by Ambassador Miller's reassurance that the Netherlands is a sovereign state and the USG is "not telling you what to do," the Dutch have engaged in constructive discussions with Embassy officials about the concrete and measurable steps they are taking to deal with the scourge of trafficking. We estimate that by early November there will be a significant record of serious and sustained progress even though the Dutch timetable for implementing the current tranche of anti-TIP efforts culminates in January 2005.

2. On a national basis, the GONL is aggressively pursuing its goals of protecting minors, cracking down on escort services, identifying and assisting illegal aliens, combating organized crime influence, and enabling women to escape prostitution and find acceptable employment. Many of these initiatives have the added benefit of directly addressing concerns laid out in the draft U.S. benchmarks. On a regional basis, the Dutch (mirroring our own NSPD 22) are forging partnerships through a Joint Investigation Team with the U.K., Belgium, Germany and Europol to combat TIP in Bulgaria. More broadly, they are utilizing their EU Presidency to galvanize the Commission's Expert Group of Human Trafficking and by funding International Organization for Migration (IOM) and OSCE victim assistance projects.

3. Based on our continued dialogue with the GONL, the following is our assessment of what we can expect to see in terms of substantive, specific and measurable steps towards the fulfillment of Trafficking Victims Protection Act (TVPA) statutory criteria by the end of the year:

Prevention

- The Justice Ministry will have launched a campaign against human trafficking that targets "Johns" - clients of prostitutes - via websites used by customers, brothel operators and prostitution businesses. The Ministry will have disseminated information to Johns about a program for the anonymous reporting of TIP offenses.

- Owners and operators within the sex industry will have implemented and enforced a Code of Conduct that requires owners and operators within the industry to report TIP suspicions to authorities, inform suspected TIP victims of their rights, and publish contact information of NGOs providing victim assistance.

- By January 1, 2005, the Justice Ministry will have created a new National Expertise Center against Youth Prostitution. This center will collect facts, figures, background information and best law-enforcement practices to combat the "lover boy" problem.

- The Ministry of the Interior, Ministry of Health, Welfare and Sport (VWS), and Ministry of Social Affairs will have substantially augmented programs to support prostitutes "stepping out" (leaving) prostitution. The Interior Ministry will have launched an initiative informing prostitutes who seek alternative employment of their eligibility for welfare benefits. The VWS Ministry has already granted the De Graaf foundation a subsidy to guide local government development of coherent assistance packages to those "stepping out" of prostitution. Finally, the Social Affairs Ministry will have subsidized projects developed by NGO's the Red Thread and the Scarlet Cord including re-socialization and psychosocial support

programs, and training modules that help ex-prostitutes find new jobs.

- The GONL will have spent \$500,000 per year to fully fund the Bureau of the National Rapporteur, and \$375,000 to fund the Foundation Against Trafficking in Women (STV). The amount cited for the STV does not include government funding for STV's programs and projects. By fall, the National Rapporteur will have published a supplemental report encompassing 2003 figures.

Prosecution

- The Justice Ministry will have shifted resources into combating TIP and sexual crimes involving minors in the illegal prostitution sector, where police believe such problems are concentrated. One shift will be the regulation of escort services. The Justice Ministry will have disseminated among municipalities and implemented best practices for administrative enforcement in the escort sector. The Hague, Eindhoven and Amsterdam have already concluded the pilot project developing these "best practices."

- The Interior Ministry will have installed a TIP module for criminal investigators at the new police academy and will have trained police and prosecutors specifically on operations and profiles of "lover boys." The Justice Ministry will have trained prosecutors and judges on TIP during two-day courses.

- Parliament will have adopted legislation passed by the Second Chamber (Lower House) on June 29 that expands the definition of trafficking to include labor trafficking. The legislation also increased the maximum sentences for trafficking crimes to 15 years, bringing sentencing ceilings for these crimes in line with those of other serious crimes.

- The Dutch will have established a Joint Investigative Team with the UK, Belgium, Germany, Europol and Eurojust to combat trafficking in Bulgaria.

Protection

- The Dutch will have pushed a victim assistance program, including return and re-integration of victims to their countries of origin, onto the EU agenda. They will have supported the work of the European Commission's Expert Group on Human Trafficking, and they will have donated approximately 2 million Euros to IOM and OSCE victim assistance projects in the Balkans.

- By the fall of 2004, the GONL will have passed implementing legislation allowing B-9 permit holders, including TIP victims pursuing prosecutions, to work.

- The Immigration Service will have developed an enhanced training program for immigration police to identify and assist TIP victims during immigration actions.

- The VWS Ministry will have protected TIP victims with acute safety risks by supporting pilot projects establishing "safe-houses" - private shelters with secret addresses- and the Dutch Cabinet will have structurally increased subsidies for women's shelters.

Comment

14. While Ministers Bot and Donner made clear to Ambassador Miller in June that they would not be bound in their national program by terms set by another government, they are making appreciable progress in eliminating severe forms of trafficking in areas the Dutch have identified as national priorities. As noted, there is substantial overlap between the Dutch national priorities and the draft U.S. benchmarks. By early November, two months prior to the Dutch timeframe for TIP program results, we anticipate there will be enough statistics to substantiate progress. Although the resentment conveyed to Ambassador Miller by both Dutch Cabinet Ministers lingers just beneath the surface, GONL TIP officials continue to work with the U.S. toward the development of clear guidelines to measure progress fighting human trafficking on a national, regional and multilateral basis. Post meets again with Justice and Foreign Ministry officials August 9 to discuss the development of agreed steps.

Sobel